

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FELISHATAY ALVARADO	:	
Plaintiff	:	Civil Action No. 22-3763
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	

ORDER

AND NOW, on this _____ day of _____, 2024, upon consideration of the Defendants' Motion in Limine to preclude evidence of Officer Discipline or Misconduct Allegation, and Plaintiff's response in opposition thereto, it is hereby **ORDERED** that the Defendants' Motion is **DENIED**.

BY THE COURT:

John F. Murphy, District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FELISHATAY ALVARADO	:	
Plaintiff	:	Civil Action No. 22-3763
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	

**PLAINTIFFS' BRIEF IN OPPOSITION TO
THE DEFENDANTS' MOTION *IN LIMINE* TO PRECLUDE EVIDENCE OF OFFICER
DISCIPLINE OR MISCONDUCT ALLEGATIONS**

Plaintiff opposes this Motion on the grounds that the Defendants have not specified any particular evidence that they seek to preclude. For example, the Defendants have not cited to any citations in Plaintiff's expert reports not to any question asked during the depositions. As such, this Motion is too vague. Further, "[e]vidence should only be excluded on a motion *in limine* if it is clearly inadmissible on all potential grounds. The movant bears the burden of demonstrating that the evidence is inadmissible on all potential grounds." Feld v. Primus Techs. Corp., No. 12-1492, 2015 U.S. Dist. LEXIS 55262, 2015 WL 1932053, at *1 (M.D. Pa. Apr. 28, 2015) (citation omitted). Here, it is impossible to tell is some grounds — such as impeachment — could render unspecified evidence admissible during the unpredictable course of the trial.

WHEREFORE, Plaintiff respectfully requests for the Court to ***deny*** the instant Motion, in the form of the attached proposed Order.

Respectfully submitted,

/s/ Keith West

Keith West, Esquire

VICTIMS' RECOVERY LAW CENTER

PA Attorney ID No. 317426

3650 Winding Way, Suite 200

Newtown Square, PA 19073

keith@victimrecoverylaw.com

Attorney for the Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FELISHATAY ALVARADO	:	
Plaintiff	:	Civil Action No. 22-3763
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	

CERTIFICATE OF SERVICE

I, Keith West, Esquire, on this date, by electronic filing, caused a true and correct copy of Plaintiff's above Brief to be served on the Defendants.

Jonah Santiago-Pagan, Esquire
Emily Hoff, Esquire
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
Attorney for Defendants

Respectfully submitted,

/s/ Keith West
Keith West, Esquire
VICTIMS' RECOVERY LAW CENTER
PA Attorney ID No. 317426
121 South Broad Street, 18th Floor
Philadelphia, PA 19107
keith@victimrecoverylaw.com
Attorneys for the Plaintiff